

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>August 13, 2009</u>
NAME OF SERVER (PRINT) <u>Michael S. Nadel</u>	TITLE <u>Attorney</u>
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____	
<input type="checkbox"/> Returned unexecuted: _____	
<input checked="" type="checkbox"/> Other (specify): <u>Reached agreement with John Guaragna, counsel for Defendant, that service is deemed accepted.</u>	

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 8-17-09
Date

Michael S. Nadel
Signature of Server

600 Thirteenth Street, N.W.
Washington, DC 20005

Address of Server

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

AUG 19 2009

DAVID J. MALAND, CLERK
BY
DEPUTY _____

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
AUG 19 2009
DAVID J. MALAND, CLERK
BY
DEPUTY _____

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

EASTERN

District of

TEXAS

BLACKBOARD INC.

SUMMONS IN A CIVIL CASE

V.

DESIRE2LEARN INC.

CASE NUMBER: 9:09-cv-129

TO: (Name and address of Defendant)

Desire2Learn Inc.
72 Victoria Street South, Suite 401
Kitchener-Waterloo, Ontario, Canada N2G 4Y9

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

J. Thad Heartfield
The Heartfield Law Firm
2195 Dowlen Road
Beaumont, Texas 77706

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

David Malone

CLERK



(By) DEPUTY CLERK

8/10/09

DATE